

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1970

To establish a scrap tire trust fund to provide financial assistance to States to eliminate current scrap tire piles and to manage the future disposal of scrap tires.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 4, 1993

Mr. SLATTERY (for himself, Mr. McMILLAN, and Mr. SAWYER) introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Ways and Means

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## A BILL

To establish a scrap tire trust fund to provide financial assistance to States to eliminate current scrap tire piles and to manage the future disposal of scrap tires.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SCRAP TIRE TRUST FUND.**

4       (a) ESTABLISHMENT.—

5               (1) IN GENERAL.—There is established in the  
6       Treasury of the United States a trust fund to be  
7       known as the “Scrap Tire Trust Fund” (hereinafter  
8       in this section referred to as the “Trust Fund”).

1           (2) ACCOUNTS IN TRUST FUND.—The Trust  
2 Fund shall consist of—

3                   (A) a Scrap Tire Reduction Account; and

4                   (B) a Scrap Tire Recycling Account.

5       Each such Account shall consist of such amounts as  
6       may be appropriated to it as provided in this section.

7       (b) SCRAP TIRE REDUCTION ACCOUNT.—

8           (1) APPROPRIATION TO ACCOUNT.—There are  
9       hereby appropriated, out of any money in the Treas-  
10      ury not otherwise appropriated, to the Scrap Tire  
11      Reduction Account amounts equivalent to the follow-  
12      ing amounts:

13                   (A) 87 percent of amounts received during  
14                   1993 through 1997 from the fees imposed by  
15                   subsection (d).

16                   (B) 77 percent of amounts received during  
17                   1998 through 2001 from such fees.

18                   (C) 67 percent of amounts received during  
19                   2002 through 2004 from such fees.

20       (2) EXPENDITURES FROM ACCOUNT.—Amounts  
21       in the Scrap Tire Reduction Account shall be avail-  
22       able, as provided by appropriation Acts—

23                   (A) for making expenditures to provide fi-  
24                   nancial assistance to States for purposes of con-  
25                   ducting surveys of current scrap tire piles, de-

1           veloping State tire management plans, and car-  
2           rying out the portion of such State tire plans  
3           relating to reduction and elimination of existing  
4           scrap tire piles, including recycling, recovering,  
5           and reusing scrap tires; and

6                   (B) for payment of expenses for adminis-  
7           tration of such financial assistance (but not in  
8           excess of 5 percent of the Account may be used  
9           for such purpose).

10       (c) SCRAP TIRE RECYCLING ACCOUNT.—

11           (1) APPROPRIATION TO ACCOUNT.—There are  
12       hereby appropriated, out of any money in the Treas-  
13       ury not otherwise appropriated, to the Scrap Tire  
14       Recycling Account amounts equivalent to the follow-  
15       ing amounts:

16                   (A) 13 percent of amounts received during  
17       1993 through 1997 from the fees imposed by  
18       subsection (d).

19                   (B) 23 percent of amounts received during  
20       1998 through 2001 from such fees.

21                   (C) 33 percent of amounts received during  
22       2002 through 2004 from such fees.

23       (2) EXPENDITURES FROM ACCOUNT.—Amounts  
24       in the Scrap Tire Recycling Account shall be avail-  
25       able, as provided by appropriation Acts—

1 (A) for making expenditures to provide fi-  
2 nancial assistance to States to carry out the  
3 portion of State tire management plans relating  
4 to the current and future disposal of scrap  
5 tires, including recycling, recovering, and  
6 reusing new scrap tires; and

7 (B) for payment of expenses for adminis-  
8 tration of such financial assistance (but not in  
9 excess of 5 percent of the Account may be used  
10 for such purpose).

11 (d) IMPOSITION AND RATE OF FEE.—

12 (1) IN GENERAL.—The Administrator shall im-  
13 pose and collect a fee of \$.85 on each new tire sold  
14 by the manufacturer or importer, regardless of in-  
15 tended use, during the period beginning on January  
16 1, 1993, and ending on December 31, 2004. The fee  
17 shall be due and payable by the manufacturer or im-  
18 porter sixty days after sale of the tire. The Adminis-  
19 trator shall deposit amounts received from such fees  
20 into the General Fund of the Treasury.

21 (2) TIRES ON IMPORTED ARTICLES.—For pur-  
22 poses of paragraph (1), if an article imported in the  
23 United States is equipped with tires—

1 (A) the importer of the article shall be  
2 treated as the importer of the tires with which  
3 such article is equipped; and

4 (B) the sale of the article by the importer  
5 thereof shall be treated as the sale of the tires  
6 with which such article is equipped.

7 This paragraph shall not apply with respect to the  
8 sale of an automobile bus chassis or an automobile  
9 bus body.

10 (e) TRANSFERS TO TRUST FUND.—The amounts ap-  
11 propriated by subsections (b)(1) and (c)(1) shall be trans-  
12 ferred at least monthly from the General Fund of the  
13 Treasury to the Trust Fund on the basis of estimates  
14 made by the Secretary of the Treasury of the amounts  
15 referred to in such subsections. Adjustments shall be made  
16 in the amount subsequently transferred to the extent prior  
17 estimates were in excess of or less than the amounts re-  
18 quired to be transferred.

19 (f) INVESTMENT.—(1) The Secretary of the Treasury  
20 shall invest such portion of the Trust Fund as is not, in  
21 his judgment, required to meet current withdrawals. Such  
22 investments may be made only in interest-bearing obliga-  
23 tions of the United States and may be acquired—

24 (A) on original issue at the issue price; or

1           (B) by purchase of outstanding obligations at  
2       the market price.

3       (2) Any obligation acquired by the Trust Fund may  
4       be sold by the Secretary at the market price.

5       (3) The interest on, and the proceeds from the sale  
6       or redemption of, any obligations held in the Trust Fund  
7       shall be credited to and form a part of the Trust Fund.

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